

RNTPC Paper No. A/YL-PN/55A
For Consideration by
the Rural and New Town
Planning Committee
on 7.12.2018

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL- PN/55
(for 2nd Deferment)

- Applicant** : Annie's Lane Dog Sanctuary Association Limited represented by Harvest Surveyors Limited
- Site** : Government Land in D.D. 135, Sheung Pak Nai, Yuen Long, New Territories
- Site Area** : About 1,850m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Sheung Pak Nai and Ha Pak Nai Outline Zoning Plan No. S/YL-PN/9
- Zoning** : "Agriculture" ("AGR") (about 99.7%) and area shown as "Road" (about 0.3%)
- Application** : Temporary Animal Boarding Establishment for a Period of 3 Years

1. Background

- 1.1 On 6.7.2018, the applicant sought planning permission to use the application site (the Site) for temporary animal boarding establishment for a period of 3 years (**Plan A-1**).
- 1.2 On 17.8.2018, the Rural and New Town Planning Committee (the Committee) of the Town Planning Board (the Board) agreed to defer a decision on the application for 2 months, as requested by the applicant, so as to allow time to respond to the comments of relevant government departments. On 23.7.2018 and 8.10.2018, the applicant submitted further information and the application is scheduled for consideration by the Committee at this meeting.

2. Request for Deferment

On 22.11.2018, the applicant's representative wrote to the Secretary of the Board and requested the Board to defer making a decision on the application for 2 months so as to allow time to respond to the further comments of the Environmental Protection Department (EPD) (**Appendix I**).

3. Planning Department's Views

- 3.1 The application has been deferred once for 2 months at the request of the applicant. Since the last deferment on 17.8.2018, the applicant has submitted further information to provide responses to departmental comments. The applicant has indicated that he needs more time for preparation of submission of further information in response to further comments of EPD.
- 3.2 The Planning Department has no objection to the request for deferment as the justifications for deferment meet the criteria for deferment as set out in the Town Planning Board Guidelines on Deferment of Decision on Representations, Comments, Further Representations and Applications made under the Town Planning Ordinance (TPB PG-No. 33) in that the applicant needs more time to prepare further information in response to departmental comments, the deferment period is not indefinite and the deferment would not affect the interests of other relevant parties.
- 3.3 Should the Committee agree to defer making a decision on the application, the application will be submitted to the Committee for consideration within 2 months upon receipt of further submission from the applicant. If the further information submitted by the applicant is not substantial and can be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The applicant should be advised that the Committee has allowed a maximum period of 2 months for preparation of submission of further information. Since it is the second deferment of the application, the applicant should be advised that the Committee has allowed a total of 4 months for preparation of submission of further information, and no further deferment would be granted unless under very special circumstances.

4. Decision Sought

The Committee is invited to consider whether or not to accede to the applicant's request for deferment. If the request is not acceded to, the application will be submitted to the Committee for consideration at the next meeting.

5. Attachments

Appendix I	Letter received by the Board on 22.11.2018 from the applicant's representative
Plan A-1	Location plan